

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NASUSHON TAYLOR,

Plaintiff,

vs.

CITY OF SEATTLE, a municipal corporation,
KHRISTOPHER SHEN, a City of Seattle Police
Officer, LAUREN SELBY, a City of Seattle
Police Officer, and RICHARD FLOS, a City of
Seattle Police Officer,

Defendants.

No. 2:22-cv-00348

KING COUNTY SUPERIOR COURT
CAUSE NO. 22-2-02819-0 SEA

NOTICE OF REMOVAL TO FEDERAL
COURT UNDER 28 U.S.C. § 1441(a)

TO: THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON,
AT SEATTLE

Defendants City of Seattle, Khristopher Shen, Lauren Selby, and Richard Flos (collectively,
City Defendants) hereby give notice that they are removing the above-referenced case to the United
States District Court for the Western District of Washington on the grounds set forth below.

I. SUMMARY OF STATE COURT PROCEEDINGS

This case was originally filed by Plaintiff in the Superior Court of King County, Washington,

NOTICE OF REMOVAL TO FEDERAL COURT UNDER 28 U.S.C. §
1441(a)
(2:22-cv-00348) - 1

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Seattle City Attorney
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1 on February 25, 2022. A copy of the Complaint is attached hereto as Exhibit A. Defendant City of
2 Seattle was served with the Complaint on February 14, 2022. At the time of this Notice of Removal,
3 the remaining defendants have not been served.

- 4 1. The City Defendants are filing, concurrently with this Notice of Removal, a Verification
5 of State Records that complies with Local Rules W.D. Wash LCR 101(c). The Verification
6 of State Records summarizes all the court proceedings as of today.
- 7 2. After filing this Notice of Removal, City Defendants will give notice to the King County
8 Superior Court of the removal of this action.

9 II. GROUNDS FOR REMOVAL

- 10 3. In the Complaint Plaintiff alleges, among other things, that the City Defendants failed to
11 comply with the Fourth and Fourteenth Amendments to the United States Constitution
12 and 42 U.S.C. § 1983. Exhibit A, Complaint for Damages, ¶ 5.1.
- 13 4. This Court has original jurisdiction over Plaintiff's claims invoking the Fourth and
14 Fourteenth Amendments to the United States Constitution and the United States Code
15 because they are claims arising under the "Constitution, laws, or treaties of the United
16 States" within the meaning of 28 U.S.C. § 1331. Accordingly, this action is subject to
17 removal to "the district Court of the United States for the district and division embracing
18 the place where [the] action is pending." 28 U.S.C. § 1441(a). Pursuant to Local Rules
19 W.D. Wash LCR 3(a)(1) the City Defendants are removing this case to the Western
20 District of Washington, Seattle Division, because the claim arose in King County.
- 21 5. In addition to the federal claims pled by Plaintiff, Plaintiff's Complaint also alleges
22 common law tort claims. Upon information and belief, any such claims would be so
23 related to Plaintiffs' claims invoking the U.S. Constitution and Code that they form part

1 of the same case or controversy, and are, consequently, within this Court's supplemental
2 jurisdiction. 28 U.S.C. § 1367(a).

3 6. The removal of this action is timely under 28 U.S.C. § 1446(b) because this Notice of
4 Removal is filed within thirty (30) days after February 25, 2022, which is the date the City
5 was served with the Summons and Complaint in this action.

6 For the reasons stated above, the City Defendants hereby give notice that the civil action in
7 King County Superior Court, State of Washington has been removed from that Court to the United
8 States District Court for the Western District of Washington at Seattle.

9
10 DATED this 24th day of March, 2022.

11 ANN DAVISON
12 Seattle City Attorney

13 By: /s/Jessica Leiser
14 Jessica Leiser, WSBA# 49349
15 Assistant City Attorney
16 E-mail: Jessica.Leiser@seattle.gov

17 Seattle City Attorney's Office
18 701 Fifth Avenue, Suite 2050
19 Seattle, WA 98104
20 Phone: (206) 684-8200

21 *Attorney for Defendant City of Seattle,*
22 *Khristopher Shen, Lauren Selby and Richard*
23 *Flos*

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington, that on this date, I electronically filed the foregoing document with the Clerk of the Court using the ECR E-filing system, and caused a true and correct copy to be served on the following persons in the manner(s) indicated.

Jennifer Cannon-Unione, WSBA# 27008 Dixon & Cannon, Ltd 601 Union Street, Suite 3230 Seattle, WA 98101 (206) 957-2247 [Attorney for Plaintiff]	(X) Via Email jennifer@dixoncannon.com
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Dated this 24th day of March, 2022, at Seattle, Washington

s/ Keton Handy
Keton Handy, Legal Assistant